

Regular Meeting
July 10, 2003

A Regular Meeting of the Marilla Town Board was held July 10, 2003 at 7:30 p.m. at the Marilla Town Hall, 1740 Two Rod Road, Marilla, New York. Officials present were:

John R. Foss, Supervisor
Earl Gingerich, Jr., Councilman
Barbara Spanitz, Councilman
Fred Specht, Councilman
George Gertz, Councilman

Supervisor Foss called the meeting to order and the Pledge of Allegiance to the Flag was given.

Communications

Town Justice, Thomas Labin requesting authorization to attend the NYS Magistrates Association Convention.

Committee Reports

Councilman Gertz reported for Highway Superintendent Dave Pierce that the Town roadsides have been mowed. He said that the Bullis Road Bridge is a head of schedule and they hope to have it open by the end of July. Next Wednesday weather permitting they will blacktop Eldgridge Road.

Councilman Gingerich reported that the next Sesqui- Centennial Meeting will be in the fall, we are currently selling caps, t-shirts and sweat shirts and they will soon be available at the Country Store.

Councilman Specht reported that Time Warner Cable has a change in their programming; they are creating a new digital tier for an additional \$5 a month, and everyone should be notified.

Councilman Gertz reported that he is about half way through the County Disaster Plan that he is writing. He is required to solicit information from different sources; Highway Department, Town Building Department, Town Board and any concerns the General Public may have concerning hazardous materials in town, or disasters either man made or natural (snow storms, ice storms). We will be having a meeting on September 18th at 9:00 am at the Town Hall where Eire County Department of Preparedness will be doing a Hazmat analysis, which should take about half the day

Supervisor Foss reported that Zolatz Construction started the demolition Tuesday and had the entire structure down by the end of the day. They expect to have the entire site cleaned up by Friday. The grading, parking lot preparation, and seeding of the topsoil areas should be done next week. We are running a little behind on our schedule but hope to get the rest of the contracted work done by September 1st. By the time Veteran's day arrives in November he believes our Hamlet will have a wonderful new appearance.

He reported that he would begin reviewing the Town's finances for the first 6 months of the year next week as we prepare for the 2004 budget. Department heads will receive their budget requests forms the first week of August to be completed by August 19th and he hopes to complete the entire budget by early September. He explained that he keeps a cash flow statement of all our major accounts and it appears our receipts and expenses are very similar to last year.

He reported that the same company that won the bid for the Veteran's sidewalk last year has again been the successful bidder, PVD Landscaping. We will be having a pre-construction meeting sometime in the next two weeks and construction will take place in the month of August.

He also reported that he and Councilman Specht attended a South Towns Water Consortium workshop, which was very positive. Erie County Water Authority and a representative from the County Executive's Office were both there and it looks like funding would be possible for the Southeast part of Town for a joint water district with Wales, Holland, and Aurora.

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Open Board Presentation From the Public

Gloria Specht of Eastwood Road asked if the Town threatened to drop Time Warner as the cable franchise would they possibly drop the price.

Supervisor Foss explained that the Town is limited and Time Warner has control of the content of their programming.

Resident Warren Cullen of Bullis Road commented on how nice the new gas station is on Two Rod and Clinton and what an asset to the Town it is.

Resident Debbie Zimmerman of Townline Road asked about the Public Hearing that was scheduled for tonight?

Supervisor Foss explained that due to the delay in paper work it is postponed for the August meeting.

Old Business

Motion: Councilman Gingerich moved, seconded by Councilman Specht to approve the Minutes from the Regular Board Meeting held on 6/12/2003.
Motion Carried.

New Business

Motion: Councilman Spanitz moved, seconded by Councilman Gingerich to approve PVD Landscaping Service, 130 South Prince Drive, Depew, NY 14043, as the successful bidder for the Marilla Memorial Pavilion Sidewalk per specifications at a cost of \$20,398.12. Motion Carried.

Motion: Councilman Gertz moved, seconded by Councilman Specht to authorize the repair of the Library maintenance shed, the work will be done by an Eagle Scout and materials are not to exceed \$500. Motion Carried.

Motion: Councilman Gertz moved, seconded by Councilman Spanitz to approve quote for a new sign in front of the Town Hall from Garland Graphics Signs at 1146 Two Rod Road at a cost not to exceed \$2500.

Councilman Gingerich disagreed, he felt that it is not in the Town's best interest to spend money on a new sign at this time. He feels the old sign is still in good shape and we would be better served spending those funds on other items.

Councilman Specht questioned Councilman Gingerich on why he was in favor of this 11 months ago when the Town Board put it into the 2003 budget?

Councilman Gingerich responded that we don't need to spend the funds on a new sign at this time and this is not only his opinion but other residents that he has discussed this with as well.

Supervisor Foss stated that he disagreed, we budgeted for it last fall and the Town is better served with keeping the area up, it will match the signs at the Library and the Community Center and it will look a whole lot better.

Roll Call Vote:

Councilman Spanitz – aye

Councilman Gingerich - nye

Councilman Gertz – aye

Councilman Specht – aye

Supervisor Foss - aye

Motion Carried.

Motion: Councilman Gertz moved, seconded by Councilman Gingerich to amend the 2003 budget for sanitation fees for businesses that request a twice a

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week pick-up, by having them pay an additional 50% of the original fee to the Town Clerk. Motion Carried.

Motion: Councilman Specht moved, seconded by Councilman Gertz to authorize Town Justice, Thomas Labin to attend the New York State Magistrates Convention.
Motion Carried.

Motion: Councilman Spanitz moved, seconded by Councilman Gingerich to appoint Tom Whiting as the Red Cross Coordinator. Motion Carried.

Motion: Councilman Gingerich moved, seconded by Councilman Specht to appoint Greg Pruski as Assistant Dog Control Officer. Motion Carried.

Motion: Councilman Specht moved, seconded by Councilman Gertz to authorize the Supervisor to sign the contract for the archeological study on Water District V to be done by CCRG at a cost not to exceed \$5,000. Motion Carried.

Report of Town Officials

Bill Christen from Nussbaumer & Clarke reported that they are reviewing a letter from the DEC concerning the lot on Bullis Road being in the Flood Plain. He also reported that paperwork was submitted to the DEC for the Town to receive a waiver for a pollution discharge permit for part of the Town. The third thing was pertaining to Water District V, they notified 23 agencies and seven of them responded. The Office of Parks and Recreation requested that an archeological study must be done which is a Phase 1 (pictures, dry holes.). The US Department of Agriculture and Erie County Environment and Planning stated that we need a preliminary and final notice of intent. We will need various permits prior to construction; storm water discharge, crossing Cayuga Creek, Highway DOT Permit.

Building Inspector John Fronczek submitted a written report with 13 building applications received with fees totaling \$1,937, 13 building permits issued with a total value of \$1,055,200, 10 inspections were made and 2 complaints were acted on. There were a total of 198 activities. For the first six months of the year 11 permits were issued for single-family dwellings. A building permit issued for the Town Gazebo.

Town Assessor Kandace Wittmeyer reported that the final assessment roll was printed and they are starting on next year.

Planning Board minutes received and posted, planning board member Debbie Zimmerman reported that they are currently working on golf course regulations and the next meeting will be held on next Thursday at 7:30 pm.

CAB minutes have been received and posted.

Open Board Presentations

Resident Gloria Specht of Eastwood Road commented that she felt the Town Hall sign was not noticeable and the new sign would be a good addition.

Resident Jacob Argauer of Three Rod Road asked if the Town currently has Global Positioning Systems for 911 calls?

Supervisor Foss responded that we have some of it and we are working on this for the future. We have a T line in the Town Hall and hope to get it hooked up to the Town Clerks Office and other Offices for free internet service and to be able to have a Web page to allow people to get the information that they need.

Town Assessor, Kandace Wittmeyer stated that we currently have some layers on the States Real Property Assessment program but at this time we don't have GPS.

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Councilman Gertz stated that the software we would be getting from the County Disaster Preparedness program will have these capabilities, the whole County is plotted.

Jacob Argauer asked if someone calls 911 could the Fire and Police find them.

Councilman Gertz responded yes, if it's a landline but not on a cell phone. He also stated that the graphics on this new software from the County is unbelievable, it shows heights of buildings, and you can see things at a 45-degree angle not a straight down shot where everything is flat like they used to be.

Supervisor Foss stated that residents need to have 4" high by 1" wide legible letters on your mailbox on both sides, this makes the emergency crews jobs easier and response time faster.

All claims have been previously reviewed by Councilman Spanitz and Councilman Gertz.

Motion: Councilman Spanitz moved, seconded by Councilman Gertz to approve the claims as follows:

General Fund Claims, Vouchers 271-323	\$	40,568.71
Highway Fund Claims, Vouchers 110-122	\$	5,865.04
Special Districts		
Sanitation (SR), Vouchers 73-85	\$	7,890.16
Special Lighting, Voucher	\$.00
Special Fire, Vouchers 7	\$	14,592.90
Water District #2, Vouchers 22-24	\$	2,347.96
Water District #3, Voucher 9	\$	1,231.19
Water District #4, Vouchers 7	\$	743.59
Community Develop. PACE vouchers 5-6	\$	5,754.00

Motion Carried.

Motion: Councilman Gingerich moved, seconded by Councilman Specht to adjourn at 8:10p.m. Motion Carried.

Respectfully submitted,

_____ Town Clerk	_____ Supervisor
_____ Councilman	_____ Councilman
_____ Councilman	_____ Councilman